HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION
Dated Nainital the 20th day of June, 2005
Criminal Misc. Bail Application No.472 of 2005
Order on the bail application of the accused.

CRIMINAL SIDE

Najeer @ Aslam S/o Lateef,
R/o Mohamadpur Gadha, P.S. Kotwali Dehaat,
Saharanpur, District Saharanpur
…… Accused/Applicants
(in jail)

Versus

State of Uttaranchal …….. Respondent

Case crime No. 53 of 2004
Under Sections 302 of I.P.C.
Police Station Jhabrera, District Hardwar

BY THE COURT

Hon'ble J.C.S. Rawat, J.

Heard Sri Sanjeev Singh, learned counsel for the applicant and learned A.G.A. for the Sate.

I have perused the record. It was pointed out that the co-accused- Irshad has stated in his statement that applicant- Nazir has fired upon the deceased. There is no other evidence except the statement of the co-accused.

The learned A.G.A. has stated that there is no evidence except that statement of co-accused assigning the main role in the case diary. The co-accused Muntzeer, Nanha & Chota Bihari have already been released on bail. The case rests on the circumstantial evidence. The accused has not been named in the F.I.R.

Considering the totality, under the facts and circumstances of the present case, it is a fit case for the bail. Let the applicant-accused be released in bail on furnishing a personal bond and tow sureties each in the like amount to the satisfaction of the CJM concerned.

Dated : 20.06.2005 (J.C.S. Rawat, J.)

Rajeev Dang